

16805 U.S. PTO  
121503

Our Case: 188.478-DIV-2

121503 U.S. PTO  
10/735890  
121503

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification of this Application:

Class: 123 Subclass: 9017

Prior Application

Examiner: Frank Lopez

Art Unit: 3745

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a request for filing a

☐ Continuation

application under 37 CFR 1.60

☒ Divisional

of pending prior Application Serial No.: 09/913,450

Filed on: 8/10/01 Of: R. OTTERSBACH et al

For: CAMSHAFT CONTROL DEVICE AND CONTROL VALVE WITH  
LEAKAGE COMPENSATION

1. ☒ Enclosed is a copy of the prior application, including the oath or declaration as originally filed and an affidavit of declaration verifying it as a true copy. (See 8 and 8a for drawing requirements).
2. ☐ Prepare a copy of the prior application.
3. ☒ The filing fee is calculated below:


**CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY CLAIMS  
CANCELLED BY AMENDMENT BELOW**

	<u>Number Filed</u>	<u>Number Filed</u> Excess of 20	<u>Rate</u>	<u>Basic fee</u> \$ 770.00
Total Claims	<u>1</u>	<u>0</u>	x \$18.00	0
Independent Claims	<u>1</u>	Excess of 3 <u>0</u>	x \$86.00	0
Multiple dependent claims <input type="checkbox"/> Yes x \$290.00 <input checked="" type="checkbox"/> No				\$ <u>0</u>
				<u>\$ 770.00</u>

4. ☒ The Asst. Commissioner is hereby authorized to charge any fees which may be required, or to credit any overpayment to Account No. 02.2275. A duplicate copy of this sheet is enclosed.

☒ I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail No. EL98198164 US in an envelope addressed to the Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Dec. 15, 2003.

Dated: Dec. 15, 2003.

  
Charles A. Muserlian, 19,683

5. ☒ PTO Form-2038 in the amount of \$ 770.00 is enclosed.
6. ☐ Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).
7. ☐ Amend the specification by inserting before the first line in the sentence:  
This is a ☐ Continuation, ☐ Division of Serial No. \_\_\_\_\_  
this application.
8. ☐ Transfer the drawings from the prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used before payment of base issue fee).
- 8a. ☒ New formal drawings are enclosed.
- 8b. ☒ Priority of application Serial No. 199 05 646.3 Filed: 2/11/99
- 8c. ☒ The certified copy of been filed in the prior application Serial No. 09/913,450  
Filed: 8/10/01
9. ☒ The prior application is assigned of record to INA WALZLAGER

SCHAEFFLER OHG

10. [X] The power of attorney in the prior application is to any one of the following:  
Charles A. Muserlian, Reg. No. 19,683; Donald C. Lucas, Reg. No. 31,275; and  
Michael N. Mercanti, Reg. No. 33,966; all of 475 Park Avenue South, New York,  
N.Y. 10016; its attorneys to file this Declaration with full power of substitution  
and revocation and to transact all business in the Patent Office connected  
therewith.

- a. ☒ The power appears in the original papers of the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the  
power in the prior application is enclosed.
- c. ☒ Recognize as associate attorney and address all future communications to:


Charles A. Muserlian, Reg. No. 19,683  
c/o Muserlian, Lucas and Mercanti  
475 Park Avenue South  
New York, N.Y. 10016

11. ☒ A Preliminary Amendment is enclosed. (Claims added by this amendment have  
been properly numbered consecutively beginning with the number of next following  
the highest numbered original claims in the prior application)

12. [X] I hereby verify that the attached papers are a true copy of the prior application  
Serial No. 09/913,450 as originally filed on 8/10/91

The undersigned declares further that all statements made herein of his own  
knowledge are true and that all statements made on information and belief are believed to  
be true; and further that these statements were made with the knowledge that willful false  
statements and the like so made are punishable by fine or imprisonment, or both, under  
Section 1001 of Title 18 of the United States Code, and that such willful false statements  
may jeopardize the validity of the above-identified application or any patent issuing  
thereon.

Date: Dec. 15, 2003

  
Charles A. Muserlian  
Reg. No. 19,683

Muserlian, Lucas and Mercanti  
475 Park Avenue South  
New York, N.Y. 10016

188.478-DIV-2

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Date of Deposit: December 15, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service “EXPRESS MAIL POST OFFICE TO ADDRESSEE” Service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

  
\_\_\_\_\_  
Charles A. Muserlian

Dated: December 15, 2003